

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

Jeffery L. Smith
Stacey L. Smith,

ORDER RE: MOTION OF STANDING
TRUSTEE FOR CONVERSION OR
DISMISSAL OF CASE

Debtors.

BKY 03-36186 GFK

At St. Paul, Minnesota, this 29th day of July, 2004.

This Chapter 13 case came before the Court for hearing on the Standing Trustee's Motion for Conversion or Dismissal. Appearances, if any, were noted on the record. Upon the record made at the hearing, and upon all of the other files, records, and proceedings in this case,

IT IS HEREBY ORDERED:

1. The Debtor shall either:
 - a. file a motion for post-confirmation modification, with a modified plan appended, and shall serve that motion in conformity with LOC. R. BANKR. P. (D. MINN.) 3015-2(b) and 3019-2, no later than *Thursday, September 2, 2004*. Counsel for the Debtor shall schedule the hearing on the motion for September 23, 2004, at 10:30 a.m., or
 - b. convert this case to one under Chapter 7 by filing the verified conversion, exhibits, attachments, schedules, statements, and lists contemplated by LOC. R. BANKR. P. (D. MINN.) 1019-1(a), no later than *Wednesday, September 22, 2004*, or
 - c. file a cure proposal no later than *Wednesday, September 22, 2004*.

2. The hearing on the Standing Trustee's motion is continued to September 23, 2004, at 10:30 a.m. Any failure by the Debtor to fully comply with either a., b., or c. of Term 1 of this order will constitute cause for dismissal of this case.

BY THE COURT:



GREGORY F. KISHEL
CHIEF U.S. BANKRUPTCY JUDGE

NOTICE OF ELECTRONIC ENTRY AND
FILING ORDER OR JUDGMENT
Filed and Docket Entry made on 07/29/04
Lori Vosejpka, Acting Clerk, By jrb

U.S. BANKRUPTCY COURT
DISTRICT OF MINNESOTA

I, Judy Brooks, hereby certify that I am judicial assistant to Gregory F. Kishel, Chief Bankruptcy Judge for the District of Minnesota; that on July 29, 2004, true and correct copies of the annexed:

ORDER

were placed by me in individual official envelopes, with postage paid; that said envelopes were addressed individually to each of the persons, corporations, and firms at their last known addresses appearing hereinafter; that said envelopes were sealed and on the day aforesaid were placed in the United States mails at St. Paul, Minnesota, to:

OFFICE OF THE U.S. TRUSTEE
1015 U.S. COURTHOUSE
300 SOUTH FOURTH STREET
MINNEAPOLIS MN 55415

JASMINE KELLER, ESQ.
CHAPTER 13 TRUSTEE
12 SOUTH 6TH ST, #310
MPLS, MN 55402

SMITH, JEFFERY and STACEY
13258 GLENHAVEN AVE
APPLE VALLEY MN 55124

IAN T. BALL, ESQ.
326 PLYMOUTH BLDG, 12 S SIXTH ST
MPLS MN 55402

and this certificate of service was made by me.

/s/ Judy Brooks
Judy Brooks

Filed on July 29, 2004 Lori Vosejka, Acting Clerk By jrb, Deputy Clerk
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